

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:24-CV-783-FDW-DCK

JAMESON C., a minor, by next friend )  
STEVEN BOLCH; SARA M., LEAH M., )  
HARRY M., minors by next friend KARI )  
DANFORTH; MEGAN S. and CHLOE S., )  
minors, by next friend DARIA )  
BARAZANDEH; ANNIE W., JUSTIN B., )  
MORGAN G., minors, by next friend )  
VERONIKA MONTELEONE, and on )  
behalf of all others similarly situated, )

Plaintiffs, )

v. )

ROY COOPER, in his official capacity as )  
the Governor of North Carolina, NORTH )  
CAROLINA DEPARTMENT OF HEALTH )  
AND HUMAN SERVICES, KODY )  
KINSLEY, in his official capacity as the )  
Secretary of the North Carolina Department )  
of Health and Human Services, SUSAN )  
OSBORNE, in her official capacity as )  
Assistant Secretary of County Operations of )  
the Division of Social Services, MARK )  
PAYNE, as the Director of the Division of )  
Health Service Regulation, )  
MECKLENBURG COUNTY, )  
MECKLENBURG COUNTY )  
DEPARTMENT OF SOCIAL SERVICES- )  
YOUTH AND FAMILY SERVICES, )  
GASTON COUNTY, and GASTON )  
COUNTY DEPARTMENT OF SOCIAL )  
SERVICES, )

Defendants. )

**DEFENDANTS GASTON COUNTY  
AND THE GASTON COUNTY  
DEPARTMENT OF SOCIAL  
SERVICES' MOTION TO DISMISS**

Defendants Gaston County and the Gaston County Department of Social Services

(“Gaston County”), pursuant to Fed. R. Civ. P. Rule 12(b)(1) and 12(b)(6) and Local Rule 7.1, hereby submit the following Motion to Dismiss. Gaston County and the Gaston County Department of Social Services respectfully request that the Court dismiss Plaintiffs’ Complaint against them in its entirety. In support of their Motion, Gaston County and the Gaston County Department of Social Services submit their Memorandum of Law being filed contemporaneously with this Motion.

This the 10<sup>th</sup> day of October, 2024.

**TEAGUE CAMPBELL DENNIS & GORHAM, LLP**

BY: /s/ J. Matthew Little

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*Attorneys for Defendants Gaston County and the  
Gaston County Department of Social Services*

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

This the 10<sup>th</sup> day of October, 2024.

**TEAGUE CAMPBELL DENNIS & GORHAM, LLP**

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